

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name, that I believe I am the first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention, design or discovery entitled UPGRADED FLEXIBLE OPEN RING OPTICAL NETWORK AND METHOD, the specification of which is attached hereto;

That I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; that I do not know and do not believe that said invention, design or discovery was ever known or used in the United States of America before my invention or discovery thereof, or patented or described in any printed publication in any country before my invention or discovery thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application; that said invention, design or discovery has not been patented or made the subject of an inventor's certificate issued prior to the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns; and that I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Number	Country	Date Filed	Priority Claimed (Yes) (No)
-----NONE-----			

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and

ATTORNEY DOCKET NO.
064731.0350

DECLARATION AND POWER OF ATTORNEY

2

Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<u>Application Serial Number</u>	<u>Date Filed</u>	<u>Status</u>
--------------------------------------	-------------------	---------------

-----NONE-----

I hereby appoint:

Practitioners at Customer Number:

05073

all of the firm of Baker Botts L.L.P., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities.

Send Correspondence To:

Barton E. Showalter
The above-mentioned Customer Number

Direct Telephone Calls To:

Barton E. Showalter
at 214.953.6509
Atty. Docket No. 064731.0350

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

ATTORNEY DOCKET NO.
064731.0350

DECLARATION AND POWER OF ATTORNEY

3

Full name of first inventor:

Koji (nmi) Takeguchi

Inventor's signature

KOJI TAKEGUCHI

Date

Feb 3 2004

Residence (City, County, State)

Kawasaki, 213-0011, Japan

Citizenship

Japan

Post Office Address

3-5-4 Hisamoto, Number 206
Takatsu-ku
Kawasaki, 213-0011, Japan

ATTORNEY DOCKET NO.
064731.0350

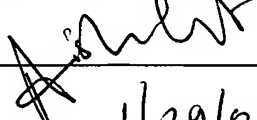
DECLARATION AND POWER OF ATTORNEY

4

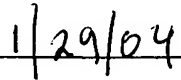
Full name of second inventor

Ashwin A. Gumaste

Inventor's signature



Date



Residence (City, County, State)

Richardson, Collin County, Texas

Citizenship

India

Post Office Address

800 W. Renner Road, Apartment #1825
Richardson, TX 75082

ATTORNEY DOCKET NO.
064731.0350

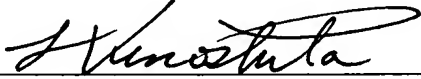
DECLARATION AND POWER OF ATTORNEY

5

Full name of third inventor:

Susumu (nmi) Kinoshita

Inventor's signature



Date

Jan 29, 2004

Residence (City, County, State)

Plano, Collin County, Texas

Citizenship

Japan

Post Office Address

6600 Preston Rd., Apartment #1126
Plano, Texas 75024